

**BID OPENING**  
**CITY OF SAN JOSE**  
**OFFICE OF THE CITY CLERK**

RECEIVED  
San Jose City Clerk  
City Clerk  
Time Stamp  
2009 DEC 10 P 2:47  
RECEIVED  
San Jose City Clerk  
2009 DEC 10 P 2:47

TOTAL BASE BID 5,160,000  
ALT NO. 1 14,000  
ALT NO. 2 18,000  
ALT NO. 3 24,000  
Alt No. 4 6,000  
Alt No. 5 \_\_\_\_\_

BID DATE: Thursday, December 10, 2009

Project Manager: Agatha Ng – 535-8350

**CALABAZAS BRANCH LIBRARY**

BIDDER NAME: BCY Builders

Bond ☒ Cashier's Check \_\_\_\_\_

Addendums Included ( )

YES ☒ NO \_\_\_\_\_

NonCollusion Affidavit

YES ☒ NO \_\_\_\_\_

December 2, 2009

**ADDENDUM NO. 1  
FOR THE  
CALABAZAS BRANCH LIBRARY**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **CALABAZAS BRANCH LIBRARY PROJECT**.

GENERAL:

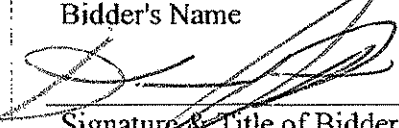
Please find attached Addenda No. 1 with modified Project Manual and Drawings. Drawings are issued in sketch form, 8 1/2" x 11". A complete listing of all modified Project Manual and Drawings sheets is included in the attached documentation.

INSTRUCTIONS TO BIDDER:

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. **Failure to return this signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.**

APPROVED BY:

  
Katherine Jensen  
Division Manager

<u>Dene Busticki</u>	<u>12-10-2009</u>
Bidder's Name	Date
 (President)	
Signature & Title of Bidder	

December 4, 2009

**ADDENDUM NO. 2  
FOR THE  
CALABAZAS BRANCH LIBRARY**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **CALABAZAS BRANCH LIBRARY PROJECT**.

GENERAL:

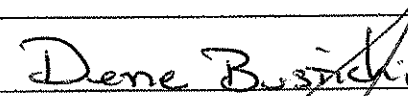
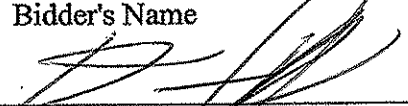
Please find attached Addenda No. 1 with modified Project Manual and Drawings. Drawings are issued in sketch form, 8 ½" x 11". A complete listing of all modified Project Manual and Drawings sheets is included in the attached documentation.

INSTRUCTIONS TO BIDDER:

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET with the bid. Failure to return this signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.

APPROVED BY:

  
Katherine Jensen  
Division Manager

 Bidder's Name	<u>12-10-2009</u> Date
 Signature & Title of Bidder	
(President)	

# **CALABAZAS BRANCH LIBRARY**

## **BID DOCUMENTS**

Proposal to the City of San Jose

Non-collusion Affidavit

Bidder's Bond

List of Subcontractors

# PROPOSAL TO CITY OF SAN JOSE

## FOR CALABAZAS BRANCH LIBRARY

Name of Bidder: BET Builders inc

The representations herein are made under penalty of perjury.

To: The City of San Jose, State of California

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans approved by the Director of Public Works on **October 27, 2009** entitled **CALABAZAS BRANCH LIBRARY** and the Specifications approved by the Director of Public Works on **October 27, 2009** entitled **CALABAZAS BRANCH LIBRARY** on file in the office of the Director of Public Works of the City of San Jose in City Hall, San Jose, California; that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of the Director of Public Works, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the City of San Jose, in the form of the copy of the contract on file in the office of the Director of Public Works, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City or Director of Public Works as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications, and to do all other things required of the Contractor by the contract; and will take in full payment therefor the following price or unit prices as shown in the Schedule of Quantities on the next page(s).

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such partnership the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership, the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business under (insert the fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorize to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished (cont. on page 2 of 3)

**DESCRIPTION OF WORK:**

Furnish all necessary labor, materials, equipment, and incidentals to complete the work, as described in the plans and Specifications for this project.

**BID ITEM:**

For the **CALABAZAS BRANCH LIBRARY**<sup>(1-4)</sup>

**TOTAL BID PRICE  
FOR EACH ITEM**  
(in figures):

**Project Description:** All work described for the construction of a 10,500sf One Story facility known as the Calabazas Branch Library Project as noted in the project manual and drawings, including allowances described below:

<b>Allowance 1:</b> Utility connections fees.	\$150,000
<b>Allowance 2:</b> SWPPP/Erosion Control requirements.	30,000
<b>Allowance 3:</b> CEQA Mitigation Monitoring and reporting.	30,000
<b>Allowance 4:</b> Third Party Special Inspection for Structural and Soil certification.	150,000
<b>Allowance 5:</b> Third Party Hazardous Materials Monitoring Agency.	25,000
<b>Total Allowances:</b>	<b>\$385,000</b>

**TOTAL BASE BID** The amount of the Total Base bid set forth here includes each of the above Allowances (no exceptions):

Base Bid: 5,160,000 -

**BID ADD ALTERNATES:** <sup>(1)(2)</sup>

<b>1. Alternate 1:</b> Exterior Metal Panel Siding MP2 (Ribbed Panel)	Add #1: <u>14,000 -</u>
<b>2. Alternate 2:</b> Exterior Metal Panel Siding MP1 (Zinc Panels)	Add #2: <u>18,000 -</u>
<b>3. Alternate 3:</b> Exterior Concrete Benches with color coating and Anti-graffiti coating; and yellow exterior Pavers	Add #3: <u>24,000</u>
<b>4. Alternate 4:</b> Interior – Add Glazing and Frame at Group Study Room	Add #4: <u>6,000</u>

**NOTES:**

- (1) Bid Alternates prices are to include the Contractor General Conditions, Project and Overhead, bonding and related costs specified to the scopes of work for each individual Alternate.
- (2) Refer to **Specification Section 01230** for additional information for each "Alternate" alternate work.
- (3) See the Special Provisions Section in this project manual for descriptions of "Award of Contract".
- (4) Base bid value amount is to include the Allowance value as indicated in **Specification Section 01210**, "Allowances".

(cont. from page 1 of 3) in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the City Clerk prior to opening bids or submitted with the bid; otherwise, the bid may, at the City's option, be disregarded as non-responsive.

If this proposal shall be accepted and the undersigned shall fail to contract, and to give the Contractor's Bond For Faithful Performance and the Contractor's Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the City of San Jose, the City may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this proposal are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

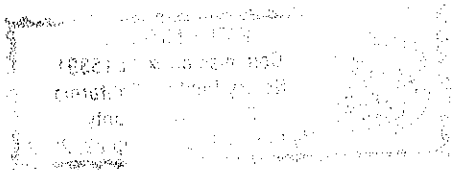
1. Cash, a cashier's check or a certified check made payable to City, or a bidder's bond executed by an admitted surety insurer naming the City as beneficiary, in an amount equal to at least ten percent (10%) of the total amount bid including all alternatives.
2. A "List of Subcontractors".
3. A "Statement of Bidder's Experience".

City may at its option, request additional supplemental information after bid opening.

Bidder understands that the City reserves the right to reject any or all bids and to waive any informalities in the bidding.

**The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.**

**Execution of the Non-Collusion Affidavit constitutes execution of this Bid Proposal including the above statement of nondiscrimination and, with the exception of the Bidder's Bond or Addenda, if any, no other signatures will be required**



# NONCOLLUSION AFFIDAVIT

Project Title: CALABAZAS BRANCH LIBRARY

Dene Bustichi, being first duly sworn, deposes and says that he/she is  
(print name)

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.

Executed on 12-10-2009

BET Builders inc  
Legal Company Name

Corporation  
Indicate Type of Entity: Sole Proprietorship,  
Partnership (General/Limited Partners),  
Corporation, Joint Venture, etc.

By: [Signature]  
Title: President

City Business Lic. No.: 7980671659  
Expiration Date: 6-15-10  
State Contractor Lic. No.: 595141  
Classification: B ; C-8  
Expiration Date: 9-30-2011  
Federal I. D. No.: 77-0512650  
Address: 4652 SCOTTS Valley Drive  
Suite 202  
SCOTTS Valley CA  
Telephone: 831-438-2356

\*\*\*\*\*

## NOTARY

On 12/10/09 before me, Kathy Mitchell, Notary Public, personally  
appeared (name and title of officer)

Dene Bustichi who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kathy Mitchell  
Notary Public

(Seal)



Page 3 of 3



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Cruz

On 12/10/09 before me, Kathy Mitchell, Notary Public

personally appeared Dene Blustich



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Kathy Mitchell

Place Notary Seal and/or Stamp Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Individual
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

- ☐ Corporate Officer — Title(s): \_\_\_\_\_
- ☐ Individual
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

## **BIDDER'S BOND**

KNOW ALL PERSONS BY THESE PRESENTS:

That we, BCI Builders, Inc. as PRINCIPAL,  
and The Ohio Casualty Insurance Company, a corporation duly organized under the  
laws of the State of Ohio and duly licensed to become sole surety on bonds  
required or authorized by the State of California, as SURETY, are held and firmly bound unto the  
City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE  
TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the  
City of San Jose, for the work described below; for the payment of which sum in lawful money of  
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators  
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the  
Surety hereunder exceed the sum of ten percent of the bid amount-----  
-----DOLLARS  
(\$10%-----).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for  
certain construction specifically described as follows, for which bids are to be opened in the Office  
of the City Clerk Office, CITY OF SAN JOSE, City Hall, 200 E. Santa Clara St., Wing, 2<sup>nd</sup> floor,  
San Jose, CA 95113 on December 10, 2009 for CALABAZAS BRANCH LIBRARY.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time  
and manner required under the specifications, after the prescribed forms are presented to Principal  
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and  
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance  
policies with the City, all as required by the specifications and the contract or by law, then the  
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety  
and its bond shall be in no way impaired or affected by any extension of the time within which the  
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the  
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to  
be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 8th  
day of December, 2009.

PRINCIPAL

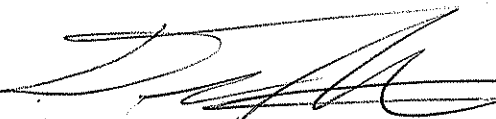
SURETY


BCI Builders, Inc.  
Legal Company Name

The Ohio Casualty Insurance Company  
Legal Company Name

Corporation

Indicate Type of Entity

By   
Title: Dene Bustichi  
President

By   
Title: Danijela L. Mosunic  
Attorney-In-Fact

By \_\_\_\_\_  
Title: \_\_\_\_\_

By \_\_\_\_\_  
Title: \_\_\_\_\_

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Cruz

On 12/8/09 before me, Kathy Mitchell, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Dene Buttichi

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Kathy Mitchell

Signature of Notary Public

Place Notary Seal and/or Stamp Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Individual

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Attorney in Fact

☐ Trustee

☐ Trustee

☐ Guardian or Conservator

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

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RIGHT THUMBPRINT  
OF SIGNER

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# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

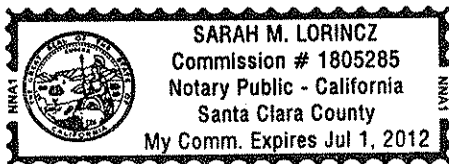
County of Santa Clara

On December 8, 2009 before me, Sarah M. Lorincz, Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Danijela L. Mosunic

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

## OPTIONAL

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### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

**CERTIFIED COPY OF POWER OF ATTORNEY  
THE OHIO CASUALTY INSURANCE COMPANY**

No. 41-823

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, an Ohio Corporation, pursuant to the authority granted by Article III, Section 9 of the Code of Regulations and By-Laws of said Company, does hereby nominate, constitute and appoint: **Francis E. Cook, Charles M. Griswold or Danijela L. Mosunic of San Jose, California** its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance **FIVE MILLION (\$5,000,000.00) Dollars**, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Fairfield, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 20th day of November, 2008.



*Mark E. Schmidt*

Mark E. Schmidt, Assistant Secretary

STATE OF OHIO,  
COUNTY OF BUTLER

On this 20th day of November, 2008 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came **Mark E. Schmidt, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY**, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposes and says, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



*Cheryl S. Gregory*

Notary Public in and for County of Butler, State of Ohio  
My Commission expires August 5, 2012.

This power of attorney is granted under and by authority of Article III, Section 9 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company, extracts from which read:

Article III, Section 9. Appointment of Attorneys-in-Fact. The Chairman of the Board, the President, any Vice-President, the Secretary or any Assistant Secretary of the corporation shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the corporation as surety to, and to execute, attach the seal of the corporation to, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, partnership, limited liability company or other entity, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America or any agency thereof, or to any other political subdivision thereof

This instrument is signed and sealed as authorized by the following resolution adopted by the Boards of Directors of the Companies on October 21, 2004:

**RESOLVED**, That the signature of any officer of the Company authorized under Article III, Section 9 of its Code of Regulations and By-laws and the Company seal may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company to make, execute, seal and deliver for and on its behalf as surety any and all bonds, undertakings or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment. Such signatures and seal are hereby adopted by the Company as original signatures and seal and shall, with respect to any bond, undertaking or other written obligations in the nature thereof to which it is attached, be valid and binding upon the Company with the same force and effect as though manually affixed.

**CERTIFICATE**

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Company and the above resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 8th day of December A.D. 2009.



*Sam Lawrence*

Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call  
1-513-867-3471 between 9:00 am and 4:30 pm EST on any business day.

## **BIDDER'S BOND**

KNOW ALL PERSONS BY THESE PRESENTS:

That we, \_\_\_\_\_ as PRINCIPAL,  
and \_\_\_\_\_, a corporation duly organized under the  
laws of the State of \_\_\_\_\_ and duly licensed to become sole surety on bonds  
required or authorized by the State of California, as SURETY, are held and firmly bound unto the  
City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE  
TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the  
City of San Jose, for the work described below; for the payment of which sum in lawful money of  
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators  
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the  
Surety hereunder exceed the sum of \_\_\_\_\_  
DOLLARS  
(\$ \_\_\_\_\_).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for  
certain construction specifically described as follows, for which bids are to be opened in the Office  
of the City Clerk Office, CITY OF SAN JOSE, City Hall, 200 E. Santa Clara St., Wing, 2<sup>nd</sup> floor,  
San Jose, CA 95113 on **December 10, 2009** for **CALABAZAS BRANCH LIBRARY.**

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time  
and manner required under the specifications, after the prescribed forms are presented to Principal  
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and  
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance  
policies with the City, all as required by the specifications and the contract or by law, then the  
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety  
and its bond shall be in no way impaired or affected by any extension of the time within which the  
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the  
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to  
be fixed by the court.





## LIST OF SUBCONTRACTORS

Designation of Subcontractors as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

BIDDER (GENERAL CONTRACTOR): BCI Builders inc (page 1)

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	PORTION (DESCRIPTION) OF WORK
SANTOS & Sons	Modesto	Plumbing
Louis + Tibitts	San Jose	Electrical
Titanium Survey	OAKdale	Survey
HP INSPECTING	San Jose	Testing Lab
DRT	Sanol	Site work
RB Construction	Fremont	ABATEMENT
Shirley Graphics DB	Contra DB	Shirley DB
Reliance Construction	Redwood city	Demolition
Horizon Construction	Clayton	Underground
Johnson Electronics	Sakima	Low Voltage
White Horse Builders	Saratoga	Framing
\$+\$ Steel	San Jose	Roof Deck
JPS STEEL	Lewistown, MT	RED IRON
Statewide	San Jose CA	Roofing
RP Coatings	Hayward	Waterproofing
AMAX Glass and Glazing	Sunnyvale	Store fronts
Fischer tiles & Marble	SACRAMENTO	Tile
COUNTERTOP DESIGNS	SACRAMENTO	COUNTER-TOPS

**LIST OF SUBCONTRACTORS (Cont.)**

**BIDDER (GENERAL CONTRACTOR):** BCT Builders Inc (page 2)

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	PORTION (DESCRIPTION) OF WORK
Asphalt Glass & Mfg	Central Point, Oregon	CARWORK
ELAN Construction	Pacheco	Acoustical Ceilings
DTS PAINTING	Seaside	Painting
tree to Green	Brentwood	Landscaping
CalCo Fence	Livermore	Fencing
J&S Asphalt	Rockland	Striping
(DB)	(DB)	<del>Acoustical</del> Plastic Fabrication (DB)
Above and Beyond	Santa Cruz	Fire Sprinklers
Fuertado Heating & Air	Antioch	HVAC
Hughes Dry Wall	Watsonville	Dry Wall & Metal Studs
Acoustical Insulating	Half Moon Bay	Tuck Board
James Island Plastering	Oakland	Plastering
Ellis & Ellis Signs	Sacramento	Signage
Pacific Decorative Concrete	Sacramento	Decorative Concrete & compartment
McHale Building Specialists	Folsom	Restroom accessories
Grand Central Flooring	San Jose	Flooring
Investigative Engineering	San Mateo	Lockers
NATIONAL AIR Balance	Freemont	AIR Balancing
Yamada Enterprises	Huntington Beach	Library Book Protection
Engineering Economics	Los Gatos	Building Commissioning & G&E

### LIST OF SUBCONTRACTORS (Cont.)

**BIDDER (GENERAL CONTRACTOR):** BCT Builders LLC (page 3)

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## STATEMENT OF BIDDER'S EXPERIENCE

**BIDDER (GENERAL CONTRACTOR):** BEI Builders Inc

The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract. (Contractor may Include Company own Bidders' Experience sheet instead).

PROJECT NAME

AGENCY/ENTITY

CONTRACT AMOUNT

SEE ATTACHED

**STATEMENT OF BIDDER'S EXPERIENCE (Cont.)**

**BIDDER (GENERAL CONTRACTOR):** BCT Builders INC  
The bidder is required to state below what work of similar magnitude or character the bidder has done, and to give reference that will enable the City Council to judge the bidder's experience, skill and business standing and of the bidder's ability to conduct the bidder's work as completely and as rapidly as required under the terms of the contract. (Contractor may Include Company own Bidders' Experience sheet instead).

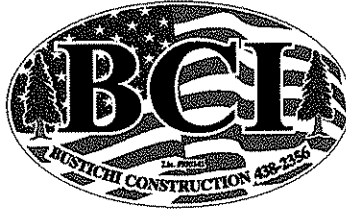
**PROJECT NAME**

**AGENCY/ENTITY**

**CONTRACT AMOUNT**

SEE ATTACHED		

## **CONTRACT DOCUMENTS**



**Projects with a Contract  
Amount of \$1,000,000.00  
2004-2009**

1. Santa Cruz High School  
John Bramlett (831) 429-3904 [jbramlett@sccs.santacruz.k12.ca.us](mailto:jbramlett@sccs.santacruz.k12.ca.us)  
Aqua Pac Aquatics  
Santa Cruz City Schools  
405 Old San Jose Road  
Soquel, CA 95073  
Percentage completed – 74%  
Contract amount – \$3,160,000.00  
Contract awarded - 2008  
Construction of a 25yd x 25 meter stainless steel swimming pool,  
mechanical room, chemical storage room, pool decking and fencing
  
2. W.C. Overfelt High School  
Donna Bertrand (408) 347-5000 [BertrandD@esuhdsd.org](mailto:BertrandD@esuhdsd.org)  
Perkins & Will  
East Side Union High School District  
830 N. Capitol Ave.  
San Jose, CA 95133  
Contract amount - \$2,816,769.00  
Date of completion – 1-15-09  
General contractor for new 17,000 sq ft Science Building
  
3. James Lick High School  
Donna Bertrand (408) 347-5000 [BertrandD@esuhdsd.org](mailto:BertrandD@esuhdsd.org)  
East Side Union High School District  
830 N. Capitol Ave.  
San Jose, CA 95133  
Contract amount - \$1,820,055.00  
Date of completion- 5-1-08  
Modernization of locker and shower rooms



4. Willow Glen Middle School  
Steve Adamo (408) 535-6071 [steve\\_adamo@sjusd.org](mailto:steve_adamo@sjusd.org)  
San Jose Unified School District  
855 Lenzen Ave.  
San Jose, CA 95126  
Contract amount - \$995,981.00  
Date of completion- 3-31-07  
Modernization of locker and shower rooms
5. Willow Glen High School  
Steve Adamo (408) 535-6071 [steve\\_adamo@sjusd.org](mailto:steve_adamo@sjusd.org)  
San Jose Unified School District  
855 Lenzen Ave.  
San Jose, CA 95126  
Contract amount - \$1,317,814.00  
Date of completion - 3-31-07  
Modernization of locker and shower rooms
6. Santa Cruz High Project #2  
Beverly Prior Architects  
John Bramlett (831) 429-3904 [jbramlett@sccs.santacruz.k12.ca.us](mailto:jbramlett@sccs.santacruz.k12.ca.us)  
300 La Fonda Ave.  
Santa Cruz, CA 95062  
Contract amount - \$1,539,124.00  
Date of completion - 2/28/05  
Sidewalk and landscaping improvements
7. Soquel High School Modernization #2  
Beverly Prior Architects  
John Bramlett (831) 429-3904 [jbramlett@sccs.santacruz.k12.ca.us](mailto:jbramlett@sccs.santacruz.k12.ca.us)  
401 Old San Jose Rd  
Soquel, CA 95073  
Contract amount - \$1,487,329.00  
Date of completion - 12/31/04  
Installation of synthetic football/soccer field
8. Soquel Union Elementary District  
Kathleen Howard (831) 464-5630 [khoward@suesd.org](mailto:khoward@suesd.org)  
620 Monterey Ave.  
Capitola, CA 95010  
Contract amount - \$1,909,481.50  
Date of completion - 8/24/04  
Modernization and ADA upgrades



### **Jobs in Progress**

#### **Vargas Elementary School**

Sunnyvale School District

School District Representative:

Rob Williams

819 W. Iowa Ave.

Sunnyvale, Ca 94086

Ph: 408-522-8200

Architect:

AEDIS Architecture and Planning

Project Manager: Rick Navarro

1494 Hamilton Ave.

San Jose, Ca. 95125

Ph: 408-264-2000

Percentage Complete - 20%

Contract Amount - \$2.2 million

Scope- Renovation and remodel of school buildings four buildings total

#### **Civic Auditorium Phase 1 Improvements**

The Redevelopment Agency of the City of San Jose

Owner Representative:

Dolores Montenegro

200 East Santa Clara Street

Tower , 14th floor

San Jose California

Architects:

ELS Architecture and Design

Project manager: Carlos Alvarez

2040 Addison Street

Berkeley, Ca. 94704

Ph: 510-549-2929

Percentage Complete - 20%

Contract Amount - \$1.4 million

Scope- Renovate bathrooms w/ seismic upgrades, Create ADA  
Wheelchair access at existing balconies, Add two inclined  
wheelchair lifts

**San Lorenzo Valley Elementary School**

San Lorenzo Valley School District

District Representative:

Eric Slaughter

325 Marion avenue

Ben Lomond, Ca. 95005

831-336-9679

Architect:

Steve Parker

Beverly Pryor Architects

222 Sutter Street

San Francisco, Ca. 94108

415-777-9422

Percentage complete - 80%

Contract Amount - \$345,000.00

Scope - Underground and site work for installation of three new portables

**Santa Cruz Water Department**

Water Supply Project

Post-Pilot Water Facility Site Modifications

UCSC Marine Marine Sciences Campus

Water Department Representative:

Kalem Dodd

Associate Civil Engineer

City of Santa Cruz Water Department

212 Locust Street, Suite "C"

Santa Cruz, Calif. 95060

831-420-5210

Engineer: Santa Cruz Water Department

Contact: Kalem Dodd

Contract Amount: \$ 197,23.00

Scope of Work: New Facilities for marine mammals, including concrete slabs, Salt Water Pools, Fencing, Salt water supply and return.

**State of California**

Division of Parks and Recreation

Big Basin, Santa Cruz, Ca

Rancho Del Oso

State Representative:

Rod Tuttle

Phone: 916-445-8742

Architects:

Studio SMS

Contact: Craig L. Miers

Phone: 916-780-0100

Contract Amount: \$148,000.00

Scope of Work: Remodel Park Ranger Facilities

**Completed Jobs for 2006-2009****Rengstorff Park Tennis Bleacher Renovation**

City of Mountain View

City Representative:

Rodrigo Macaraeg

Senior Civil Engineer

Public Works - Construction Section

P. O. Box 7540

Mountain View, Ca. 94039

650-903- 6311

Architect:

None

Percentage complete - 10%

Contract Amount - \$100,000.00

Scope - Demolition work and installation of new bleachers

**Santa Cruz High School**

Project manager: John Bramlett (831) 429-3904

Santa Cruz City Schools

405 Old San Jose Road

Soquel, CA 95073

Architects: ARCH-PAC (760) 603-1200

Percentage completed – 100%

Contract amount – \$3,160,000.00

Scope: new 25y x 25 m swimming pool and all support structures and equipment

**University of California Santa Cruz**

Universities Representative:

James Kuhn

Physical Planning & Construction

1156 High Street

Santa Cruz, Ca 95064

Ph: 831-459-1636

Fax: 831-459-5517

Architect:

Bradley Scott Streeter

Streeter Group, Inc.

2571 Main ST., Suite C

San Francisco, CA

Ph: 831-477-1781

Percentage complete - 100%

Contract Amount - \$673,050.00

Scope- Remove and replace with new exterior decks at Crown-Merrill Apartments

**Paloma House**

Project Manager: Scott Moats (831)454-5497

County of Santa Cruz Health Services

1080 Emeline Ave # D

Santa Cruz, CA 95060

Architects: William Fisher (831) 425-7240

Contract Amount - \$148,000.00

Scope: Remodel bathrooms and living quarters

**Watsonville Police Dept**

Project Manager: Robert Berry (831) 768-3111

City of Watsonville

250 Main Street

Watsonville, CA

Architects: Beverly Pryor (415) 777-9422

Contract Amount - \$185,000.00

Scope: remodel police station and emergency command center

**W.C. Overfelt High School**

Tim Duke (408) 347-5000

East Side Union High School District

830 N. Capitol Ave.

San Jose, CA 95133

Contract amount - \$2,816,769.00

Date of Completion – Jan 15, 2009

Architect: Perkins and Wills

Contact: Ann M. Knudsen 213-270-8461

Construction manager: Blach construction

Contact: Mitch Rhodes 408-869-8353

Scope: General trades on 17,000 s.f. Science building (eg. Framing, Gypsum, tile, flooring, casework, etc)

**Solorsano Middle School**

Project Manager: Rob Mendiola (408) 839-9475

Gilroy Unified School District

7810 Arroyo Circle

Gilroy, CA 95020

Architects: Kasavan Architects (831) 424-2232

Contract amount - \$233,181.00

Date of Completion – 8-19-2008

Scope: site and underground for new portables

**Lode Street Building Improvements**

Project Manager: Conrad Yumang (831) 454-2810

County of Santa Cruz

Department of Public Works

701 Ocean St., Room 410

Santa Cruz, CA 95060

Architects: Salas O'Brien Engineers (408) 282-1500

Contract amount - \$730,170.00

Date of completion– 5-31-08

Scope: remodel bathrooms and offices at transfer pump station

**James Lick High School**

Project Manager: Tim Duke (408) 347-5000

East Side Union High School District

830 N. Capitol Ave.

San Jose, CA 95133

Architects: Aedis Architectural (408) 264-2000

Contract amount - \$1,820,055.00

Date of completion: 5-1-08

Scope: Complete renovation of boys and girls locker room and showers

**Soquel High School - Field Alterations**

Project Manager: John Bramlett (831) 429-3831

Santa Cruz City Schools

405 Old San Jose Rd.

Soquel, CA 95073

Contract amount - \$64,662.00

Date of completion: 5-15-08

Scope: add long jump, pole vault to track surface with all weather track

**Branciforte Middle School**

Project Manager: John Bramlett (831) 429-3831

Santa Cruz City Schools

405 Old San Jose Rd.

Soquel, CA 95073

Contract amount - \$142,607.00

Date of completion: 4-30-08

Scope: replace fencing at various locations

**Green Acres Elementary School**

Project Manager: Keith Houchen (831) 212-4862

Live Oak School District

984 Bostwick Lane

Santa Cruz, CA 95062

Contract amount - \$534,212.00

Date of completion: 10-10-07

Scope: new transportation building and offices ground up

**Demo Capitola Multi Use Buildings**

Project Manager: Paul Rucker (831) 462-4674

Soquel Union Elementary School District

620 Monterey Ave.

Capitola, CA 95010

Contract amount - \$120,750.00

Date of completion: 9-11-07

Scope: Demolition of buildings

**DeLaveaga Elementary School Windows, Doors & Fascia**

Project Manager: John Bramlett (831) 429-3831

Santa Cruz City Schools

405 Old San Jose Rd.

Soquel, CA 95073

Contract amount - \$669,615.00

Date of completion: 9-14-07

Scope: new windows and doors

**Soquel Union Elementary School District**

Project Manager: Paul Rucker (831) 462-4674

620 Monterey Ave.

Capitola, CA 95010

Contract amount - \$76,021.00

Date of completion: 9-11-07

**Willow Glen Middle School**

Project management co: Kitchell and Assoc.

Project manager: Steve Adamo (408) 535-6071

San Jose Unified School District

855 Lenzen Ave.

San Jose, CA 95126

Contract amount - \$995,981.00

Date of completion: 3-31-07

Scope: complete renovation of boys and girls lockers and showers

**Willow Glen High School**

Project management co. : Kitchell and Assoc.

Project Manager: Steve Adamo (408) 535-6071

San Jose Unified School District

855 Lenzen Ave.

San Jose, CA 95126

Contract amount - \$1,317,814.00

Date of completion: 3-31-07

Scope: complete renovation of boys and girls lockers and showers

**Harbor High School**

Project Manager: John Bramlett (831) 429-3831

Santa Cruz City Schools

405 Old San Jose Rd.

Soquel, CA 95073

Contract amount - \$635,095.00

Date of completion: 3-1-07

**Lighthouse Field**

Project Manager: Steve Hammock (831) 420-5635

City of Santa Cruz

Parks & Recreation Department

323 Church St.

Santa Cruz, CA 95060

Architects: Carey and Co. Architects (415) 773-0773

Contract amount - \$872,895.00

Date of completion: 2-28-07

Scope: New public restroom facilities at light house field Santa Cruz , Ca



**Mission Hill Middle School**

Project Manager: John Bramlett (831) 429-3831  
Santa Cruz City Schools  
405 Old San Jose Rd.  
Soquel, CA 95073  
Contract amount - \$702,661.00  
Date of completion: 12-31-06

**Wichowsky Residence**

Helen Wichowsky (831) 461-0502  
21 Sunset Terrace  
Scotts Valley, CA 95066  
Contract amount - \$78,560.00  
Date of completion: 6-16-06

**Keogh Residence**

Mike Keogh (831) 438-5796  
130 Pippin Way  
Scotts Valley, CA 95066  
Contract amount - \$99,848.00  
Date of completion: 6-21-06

**Soquel High School Portable**

Mike Morehouse (831) 429-3831  
Santa Cruz City Schools  
405 Old San Jose Rd.  
Soquel, CA 95073  
Contract amount - \$124,920.00  
Date of completion: 4-25-06

**North Monterey County Unified School District**

Jennifer O'Hara (831) 649-4642  
2340 Garden Rd.  
Suite 100  
Monterey, CA 93940  
Contract amount - \$122,114.00  
Date of completion: 3-20-06

**New Millennium High School**

500 Harkins Slough Rd.  
Watsonville, CA. 95076  
Pajaro Valley Unified School District  
294 Green Valley Rd.  
Watsonville, CA 95076  
Contact: Don Hill  
Phone: 831-786-2100  
Project: Life Science Lab  
Contract Amount: \$694,207.71  
Completion Date: 2/2/06